
Overview of 172(e) Rule Approach

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172(e)

Applicability

- **The 172(e) rule refers to AREAS violating**
- **Many nonattainment areas contain several counties or portions of counties. Do you hold the entire nonattainment area to the 172(e) requirements, or just those portions/counties violating?**
- **DECISION:**
 - ▶ **Maintain the integrity of the existing nonattainment area boundaries for the violating counties within a nonattainment area.**
 - ▶ **County boundaries as a default for unclassifiable areas.**

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Timing

- **How long should the requirements outlined in this rule remain in effect?**
- **DECISION:**
 - ▶ **Requirements remain in effect until the area is designated attainment for the revised PM₁₀ NAAQS.**
 - ▶ **For those areas designated nonattainment for the revised PM₁₀ NAAQS, continue to implement the 172(e) requirements until the area has 3 years of monitored data meeting the revised PM₁₀ NAAQS.**

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Areas which attain based on 1995-1997 data

- Several areas that were in violation as of September 16, 1997 (94-96 data) will show attainment based on 95-97 data.
- Should these areas be required to do more for a standard they are attaining because they didn't make the cut-off date, or should we provide a low hurdle 172(e) for them?
- **DECISION:**
 - ▶ A lower hurdle for these areas will be provided for those areas that are currently attaining the preexisting PM₁₀ NAAQS based on 95-97 data.

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Areas which do not attain based on 1995-1997 data

- **What are the remaining requirements?**
- **DECISION:**
- **(1) For nonattainment areas - continue to require previous obligations including conformity. Part D NSR will not apply. PSD will apply.**
 - ▶ **Moderate areas - continue to implement RACM.**
 - ▶ **Serious areas - continue to implement BACM plus any additional measures.**

172(e)

Areas which do not attain based on 1995-1997 data (con't)

- (2) For unclassifiable areas, consistent with Subpart 4:
 - ▶ Require demonstration for the purpose of determining RACM for the preexisting PM₁₀ standard.
 - ▶ Measures implemented as expeditiously as practicable but no later than 4 years (2002 timeframe--depending on date of final rulemaking)
 - ▶ SIP due in 18 months identifying RACM (2000 timeframe--depending on date of final rulemaking),
 - ▶ Conformity and part D NSR will not apply. PSD will apply.

Areas Affected by the Section 172(e) Rule

■ Region 3

- Allegheny, PA Nonattainment
- Philadelphia, PA Unclassified
- Hancock, WV Nonattainment

■ Region 5

- Cook, IL Nonattainment
- Randolph, IL Unclassified
- DeKalb, IN Unclassified
- Lake, IN Nonattainment
- Ramsey, MN Nonattainment
- Cuyahoga, OH Nonattainment

■ Region 6

- El Paso, TX Nonattainment

■ Region 7

- Cerro Gordo, IA Unclassified
- Scott, IA Unclassified
- Morton, KS Unclassified
- Sedgewick, KS Unclassified
- Howell, MO Unclassified

■ Region 8

- Teller, CO Unclassified
- Flathead, MT Nonattainment

■ Region 9

- Phoenix, AZ Nonattainment
- Colusa Co, CA Unclassified
- Imperial Co, CA Nonattainment
- Owens Valley, CA Nonattainment
- Searles, CA Nonattainment
- Mono Basin, CA Nonattainment
- South Coast, CA Nonattainment
- San Joaquin Valley, CA Nonattainment
- Siskiyou, CA Unclassified
- Clark Co, NV Nonattainment

■ Region 10

- Municipality of Anchorage, excl. Eagle River, AK Unclassified
- Pocatello, ID Nonattainment